

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TOMMY HATTEN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:22-cv-07020
	)	
RYDER INTEGRATED LOGISTICS, INC.,	)	Hon. Judge Franklin U. Valderrama
	)	
Defendant.	)	

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR PLAINTIFF**

Now come David B. Levin and Todd M. Friedman (collectively referred to as “Plaintiff’s attorneys”), attorneys for the Plaintiff herein, and respectfully request this Honorable Court grant Plaintiff’s attorneys leave to withdraw as Plaintiff’s counsel in this matter. In support thereof, Plaintiff’s attorneys state as follows:

1. Pursuant to Illinois Rule of Professional Conduct 1.16(b), good cause for the withdrawal of Plaintiff’s attorneys exists, as Plaintiff’s attorneys’ representation has been rendered unreasonably difficult by Plaintiff. Further, withdrawal can be accomplished without material adverse effect on the interests of Plaintiff.

2. Plaintiff’s attorneys are unable to expound further in this public filing so as not to violate the rule surrounding attorney/client privilege, Illinois Rule of Professional Conduct 1.6, or otherwise act contrary to Plaintiff’s interests.

3. Plaintiff should not be prejudiced if the Court grants his attorneys leave to withdraw at this time. Currently fact discovery is set to close on September 29, 2023 (*See* Dkt. # 19). However, independent of the filing of this motion, within the next couple of days, the Parties expect to be filing a joint motion to extend that discovery deadline by 45-60 days. The basis will

be more fully explained in that joint motion, but Plaintiff's deposition has been taken and the depositions of Defendant's witnesses were noticed to be taken in September. However, Plaintiff's counsel has been advised by Defendant's counsel that due to scheduling conflicts, it is unlikely the Parties will be able to complete those depositions by September 29, 2023. In addition, Plaintiff's doctor, who was served by Defendant with a subpoena for his deposition, is not available to be deposed until later in October.

4. There are no other currently pending deadlines in this case. This matter is not currently set for trial, nor have deadlines been set for the disclosure of expert witnesses or the filing of dispositive motions. Therefore, Plaintiff should have a reasonable opportunity to secure substitute counsel to represent him should he choose to do so.

5. Attached to this motion is the Notification of Party Contact Information required by Local Rule 83.17.

6. Should the Court grant Plaintiff's attorneys' Motion for Leave to Withdraw, Plaintiff's attorneys will promptly provide Plaintiff with a copy of his litigation file for this matter.

7. No fees are being held by Plaintiff's attorneys which would need to be refunded to Plaintiff.

WHEREFORE, Plaintiff's attorneys, David B. Levin and Todd M. Friedman, respectfully requests this Honorable Court enter an order as follows:

- a. Granting David B. Levin and Todd M. Friedman leave to withdraw as Plaintiff's attorneys in this matter;
- b. Granting Plaintiff a reasonable period of time to retain substitute counsel to represent him in this matter, should he choose to do so;

- c. Extending the fact discovery deadline for such a period of time as the Court deems reasonable under the circumstances; and
- d. Granting such further relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ David B. Levin  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2023, a copy of the foregoing Motion for Leave to Withdraw was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

A copy of the foregoing Motion for Leave to Withdraw is also being sent to Plaintiff, at the street and email addresses below, by email, FedEx overnight delivery, and First-Class U.S. Mail, on September 6, 2023.

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/s/ David B. Levin  
Attorney for Plaintiff